



U.S. Department of Justice

United States Attorney  
Southern District of New York

MEMO ENDORSED

86 Chambers Street  
New York, New York 10007

March 8, 2022

**By ECF**

The Honorable Kenneth M. Karas  
United States District Judge  
The Hon. Charles L. Briant Jr.  
Federal Building and United States Courthouse  
300 Quarropas St.  
White Plains, NY 10601-4150

Re: *Martinez Trujillo et al. v. United States*, No. 20 Civ. 7821 (KMK)

Dear Judge Karas:

I write on behalf of both parties to respectfully request a 14-day extension of the discovery deadlines in the above-captioned medical malpractice action stemming from alleged injuries incurred during Plaintiff Amada Victoria Martinez-Trujillo's labor and delivery on April 2, 2018. Currently, expert discovery concludes and dispositive pre-motion letters are due March 14, 2022, with response letters due March 21, 2022; and the final pretrial conference is scheduled for March 31, 2022.

The parties are mindful that the Court indicated it would not grant further discovery extensions in setting the current schedule. *See* ECF No. 37. However, it has proven difficult to schedule the four expert depositions in this case due to the limited availability of the medical professionals. Plaintiffs' expert Dr. Martin Michalewski was deposed on March 2, 2022; Defendant's expert Dr. Keith Eddleman is scheduled to be deposed on March 14, 2022; Plaintiffs' expert Maura Aaberg is tentatively scheduled to be deposed on March 18, 2022, pending the Court's decision on this extension request; and Defendant's expert Dr. Alex Ky is tentatively scheduled to be deposed on March 23, 2022, pending the Court's decision on this extension request.

Accordingly, the parties respectfully request that expert discovery deadlines be extended by two weeks, such that expert discovery concludes and dispositive pre-motion letters are due March 28, 2022, with response letters due April 4, 2022, and the pretrial conference adjourned to a date in April 2022 at the Court's convenience.

This is the parties' fourth request for an extension of discovery. The prior requests were granted.

We thank the Court for its consideration of this request.

Granted. The 3/31/22 conference is  
moved to 4/19/22, at 12 . 00

So Ordered.



3/8/22

Respectfully,

DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York

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